

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

TYREE TALLEY,
Plaintiff

V.

CITY OF AUSTIN, et al.,
Defendants

MODESTO RODRIGUEZ,
Plaintiff

V.

**CITY OF AUSTIN AND JUSTIN
WRIGHT,**
Defendants

No. 1:21-CV-00249-RP

*consolidated for discovery
purposes with*

No. 1:21-CV-01087-RP

ORDER

Before the Court is Plaintiff Tyree Talley’s Motion to Compel Complete and Proper Discovery Responses and Production from City of Austin, Dkt. 86.¹ The District Judge referred the motion to the undersigned for disposition. The Court set the motion for hearing, Dkt. 94, and after considering the parties’ filings, the applicable law, and the arguments made at the hearing, the Court announced its rulings on the remaining disputed matters raised in the motion, and the reasons for those rulings, on the record. This written order memorializes those rulings.

¹ As noted in the caption, this case has been consolidated for discovery purposes with *Rodriguez v. City of Austin*, 1:21-CV-01087-RP. Rodriguez's corresponding motion to compel appears at Dkt. 68 of that case. The ruling here disposes of that motion and will be filed on the record in that case as well.

Between the parties' Joint Advisory and the representations made at the hearing, the Court considers the disputes regarding the following items addressed in Plaintiffs' motion as no longer disputed and therefore moot: Interrogatories 5, 17, and 36; and Requests for Production 17, 23, 24, and 36.

As for the remaining disputed items, the Court rules as follows:

Rog 6/RFP 25 (regarding disciplinary actions): The Court **OVERRULES** the City's overbreadth objections, **GRANTS** Plaintiffs' motion to compel, and **ORDERS** the City to produce any responsive, non-privileged documents within 30 days of this order.

Rogs 7 and 18 (regarding munitions): The Court **DENIES** Plaintiffs' motion to compel.

RFPs 21, 22, 41 (regarding the City's email production): The Court **GRANTS** Plaintiffs' motion to compel and **ORDERS** the City, within 60 days of the date of this order, to identify to which requests for production the specific emails produced are responsive and to cull the production set to identify materials responsive to Plaintiffs' requests.

SIGNED March 5, 2024.



DUSTIN M. HOWELL
UNITED STATES MAGISTRATE JUDGE